

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

Armando Arevalo, Sr., et al.

Plaintiffs,

v.

J & D Produce, Inc.,

Defendant.

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CIVIL ACTION NO. M-08-cv-329

PLAINTIFFS' AMENDED PROPOSED INTERROGATORIES TO THE JURY

Answer the questions that follow as instructed. All questions involve relations between Plaintiffs and Defendant J&D in 2007. Your answers to all questions must be unanimous.

1. Question No. 1:

A. Did Jesus Ybarra recruit the Plaintiffs?

Yes _____ No _____

B. Was Jesus Ybarra acting as J&D's agent when he recruited Plaintiffs?

Yes _____ No _____

If you answer "yes" to questions 1A and 1B, answer questions 2, 3, 4, 5, 6, and 7. If you answer "no," go to question 6.

2. Question No. 2:

A. Did Jesus Ybarra fail to provide written disclosures containing all the information required by law to the Plaintiffs when they were recruited?

Yes _____ No _____

B. Was this violation intentional within the meaning of the law as described in the instructions?

Yes _____ No _____

If you answer “yes”, write in the amount of AWPA damages you award each Plaintiff up to a maximum of \$500.00 each.

Armando Arevalo, Sr. \$ _____

Maria Arevelo \$ _____

Armando Arevalo, Jr. \$ _____

Hugo Arevalo \$ _____

Azucena Arevalo \$ _____

Reynaldo Rocha \$ _____

Arturo Lerma Sr. \$ _____

Kristy Lerma \$ _____

Miguel Lerma \$ _____

Aureliano Lerma \$ _____

Cruz Lerma \$ _____

Luis Lerma \$ _____

Linda Lerma \$ _____

Ernesto Esparza	\$ _____
Hugo Rodriguez	\$ _____
Jose Merla Sr.	\$ _____
Julian Merla	\$ _____
Maria Merla	\$ _____
Ashley Merla	\$ _____
Jennifer Merla	\$ _____
Jose Merla, Jr.	\$ _____

3. Question No. 3:

A. Did Jesus Ybarra fail to provide written disclosures in Spanish containing all the information required by law to the Plaintiffs when they were recruited?

Yes _____ No _____

B. Was this violation intentional, within the meaning of the law as described in the instructions?

Yes _____ No _____

If you answer “yes”, write in the amount of AWPA damages you award each Plaintiff up to a maximum of \$500.00 each.

Armando Arevalo, Sr. \$ _____

Maria Arevelo \$ _____

Armando Arevalo, Jr. \$ _____

Hugo Arevalo \$ _____

Azucena Arevalo \$ _____

Reynaldo Rocha \$ _____

Arturo Lerma Sr. \$ _____

Kristy Lerma \$ _____

Miguel Lerma \$ _____

Aureliano Lerma \$ _____

Cruz Lerma \$ _____

Luis Lerma \$ _____

Linda Lerma	\$ _____
Ernesto Esparza	\$ _____
Hugo Rodriguez	\$ _____
Jose Merla Sr.	\$ _____
Julian Merla	\$ _____
Maria Merla	\$ _____
Ashley Merla	\$ _____
Jennifer Merla	\$ _____
Jose Merla, Jr.	\$ _____

4. Question No. 4:

A. Did J&D violate, without justification, the terms of the working arrangement made with the Plaintiffs?

Yes _____ No _____

B. Was this violation intentional within the meaning of the law as described in the instructions?

Yes _____ No _____

If you answer “yes”, write in the amount of AWPA damages you award each Plaintiff up to a maximum of \$500.00 each.

Armando Arevalo, Sr. \$ _____

Maria Arevelo \$ _____

Armando Arevalo, Jr. \$ _____

Hugo Arevalo \$ _____

Azucena Arevalo \$ _____

Reynaldo Rocha \$ _____

Arturo Lerma Sr. \$ _____

Kristy Lerma \$ _____

Miguel Lerma \$ _____

Aureliano Lerma \$ _____

Cruz Lerma \$ _____

Luis Lerma \$ _____

Linda Lerma	\$ _____
Ernesto Esparza	\$ _____
Hugo Rodriguez	\$ _____
Jose Merla Sr.	\$ _____
Julian Merla	\$ _____
Maria Merla	\$ _____
Ashley Merla	\$ _____
Jennifer Merla	\$ _____
Jose Merla, Jr.	\$ _____

5. Question No. 5:

- A. Did J&D knowingly provide Plaintiffs with false or misleading information regarding the amount of work Plaintiffs would receive or about the amount money the Plaintiffs would be paid for onions they harvested?

Yes _____ No _____

- B. Was this violation intentional within the meaning of the law as described in the instructions?

Yes _____ No _____

If you answer “yes”, write in the amount of AWPA damages you award each Plaintiff up to a maximum of \$500.00 each.

Armando Arevalo, Sr.	\$ _____
Maria Arevelo	\$ _____
Armando Arevalo, Jr.	\$ _____
Hugo Arevalo	\$ _____
Azucena Arevalo	\$ _____
Reynaldo Rocha	\$ _____
Arturo Lerma Sr.	\$ _____
Kristy Lerma	\$ _____
Miguel Lerma	\$ _____
Aureliano Lerma	\$ _____

Cruz Lerma	\$ _____
Luis Lerma	\$ _____
Linda Lerma	\$ _____
Ernesto Esparza	\$ _____
Hugo Rodriguez	\$ _____
Jose Merla Sr.	\$ _____
Julian Merla	\$ _____
Maria Merla	\$ _____
Ashley Merla	\$ _____
Jennifer Merla	\$ _____
Jose Merla, Jr.	\$ _____

6. Question No. 6:

- A. Did J&D hire, employ, or use Jesus Ybarra fail to perform farm labor contracting activities without taking reasonable steps to verify that Jesus Ybarra was licensed by the United States Department of Labor to perform those activities?

Yes _____ No _____

- B. Was this violation intentional within the meaning of the law as described in the instructions?

Yes _____ No _____

If you answer “yes”, write in the amount of AWPAs damages you award each Plaintiff up to a maximum of \$500.00 each.

Armando Arevalo, Sr.	\$ _____
Maria Arevelo	\$ _____
Armando Arevalo, Jr.	\$ _____
Hugo Arevalo	\$ _____
Azucena Arevalo	\$ _____
Reynaldo Rocha	\$ _____
Arturo Lerma Sr.	\$ _____
Kristy Lerma	\$ _____
Miguel Lerma	\$ _____
Aureliano Lerma	\$ _____

Cruz Lerma	\$_____
Luis Lerma	\$_____
Linda Lerma	\$_____
Ernesto Esparza	\$_____
Hugo Rodriguez	\$_____
Jose Merla Sr.	\$_____
Julian Merla	\$_____
Maria Merla	\$_____
Ashley Merla	\$_____
Jennifer Merla	\$_____
Jose Merla, Jr.	\$_____

7. Question No. 7:

A. Did J&D enter into an employment contract with Plaintiffs?

Yes _____ No _____

B. Did J&D breach that contract?

Yes _____ No _____

If you answer “yes”, write in the amount of damages you award each Plaintiff for each Plaintiffs’ lost of earnings and benefits proximately caused by the breach.

Armando Arevalo, Sr. \$ _____

Maria Arevelo \$ _____

Armando Arevalo, Jr. \$ _____

Hugo Arevalo \$ _____

Azucena Arevalo \$ _____

Reynaldo Rocha \$ _____

Arturo Lerma Sr. \$ _____

Kristy Lerma \$ _____

Miguel Lerma \$ _____

Aureliano Lerma \$ _____

Cruz Lerma \$ _____

Luis Lerma \$ _____

Linda Lerma	\$ _____
Ernesto Esparza	\$ _____
Hugo Rodriguez	\$ _____
Jose Merla Sr.	\$ _____
Julian Merla	\$ _____
Maria Merla	\$ _____
Ashley Merla	\$ _____
Jennifer Merla	\$ _____
Jose Merla, Jr.	\$ _____

Respectfully submitted,

s/Nathaniel Norton
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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of December 2009 a true and correct copy of this document was sent to Richard P. Hill, PO Box 1548, Edinburg, TX 78540 via email to richardphill@sbcglobal.net. A true and correct copy of this document was also served on Carlos Quintana via the Court's electronic filing system.

s/Nathaniel Norton
Nathaniel Norton